

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

G&G CLOSED CIRCUIT EVENTS, LLC,  
Plaintiff,  
-against-  
DAVID COLON, et al.,  
Defendants.

**ORDER**

20-CV-05075 (PMH)

PHILIP M. HALPERN, United States District Judge:

This action having been commenced on July 2, 2020 by the filing of the Summons and Complaint, a copy of the Summons and Complaint having been served on Santos Dalmau through personal service and Escape Latino Corp. through substituted service of process through the New York State Department of State, and Affidavits of Service having been filed on August 14, 2020 and August 25, 2020,<sup>1</sup> and Defendants<sup>2</sup> not having answered the Complaint, and the time for answering the Complaint having expired, and Certificates of Default having been issued on October 14, 2020 (Docs. 17-18), and Plaintiff having filed motions for a default judgment and attorney's fees,<sup>3</sup> Defendants not having served and filed opposition with respect to the Order to Show Cause Without Emergency Relief issued on January 4, 2022 (Doc. 50), and the time for serving and filing opposition papers with respect to such Order having expired, it is

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<sup>1</sup> October 14, 2020, Plaintiff's counsel filed an affidavit stating that on July 18, 2020 and July 23, 2020, Plaintiff's process server attempted to effectuate service on defendant David Colon ("Colon"). (Doc. 16 ¶ 2). Also on October 14, 2020, Plaintiff filed proof of attempted service on Colon. (Doc. 13). Because Plaintiff has not effectuated service on Colon, he is dismissed as a defendant in this action. See Fed. R. Civ. P. 4(m).

<sup>2</sup> Santos Dalmau and Escape Latino Corp. are collectively referred to herein as "Defendants."

<sup>3</sup> Plaintiff, in support of its motions, filed a statement of damages (Doc. 44), the Affidavit of Nicolas J. Gagliardi (Doc. 40), the Declarations of Joseph P. Loughlin (Doc. 41, 46), and memoranda of law (Docs. 42, 47).

**ORDERED, ADJUDGED AND DECREED** that Plaintiff, G&G Closed Circuit Events, LLC, have judgment against Defendants in the amount of: (1) \$5,000 in statutory damages with post-judgment interest as calculated under 28 U.S.C. § 1961; (2) \$1,316.88 in costs; and (3) \$2,020.00 in attorney's fees.

The Clerk of the Court is respectfully directed to (1) enter judgment in favor of Plaintiff in accordance with this Order; (2) to terminate the motion sequence pending at Doc. 45; and (3) close this case.

**SO ORDERED:**

Dated: White Plains, New York  
April 8, 2022

  
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PHILIP M. HALPERN  
United States District Judge